

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

QUINTAYUS D. MOORE

Plaintiff,

v.

JOSHUA GREGORY, et al.,

Defendants.

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No. 1:18-CV-112 AGF

MEMORANDUM AND ORDER

This matter is before the Court on remand from the Eighth Circuit Court of Appeals. In its Judgment, the Court of Appeals instructed the District Court to remove its assessment of appellate filing fees in this action, noting that “[t]he appellant’s filing that was docketed as a notice of appeal is not a notice of appeal.”

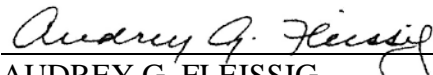
Pursuant to the Eighth Circuit’s instructions, the Court will return the remittances made by plaintiff relating to the appellate filing fees. The Court will also instruct the Cape Girardeau County Jail to stop deducting payments from plaintiff’s account in order to pay the Eighth Circuit filing fees. Plaintiff is still liable, however, to pay the District Court filing fees. As set forth in this Court’s prior orders (ECF Nos. 5 and 12), proceedings in this case are stayed pending final disposition of the criminal case in state court, including any direct appeal and post-conviction proceedings.

Accordingly,

IT IS HEREBY ORDERED that, in accordance with the Judgment from the Eighth Circuit Court of Appeals, the District Court Finance Office shall return any remittances made by plaintiff relating to appellate court filing fees.

IT IS FURTHER ORDERED that the District Court Finance Office shall notify the Cape Girardeau County Jail to stop deducting payments from plaintiff's inmate account in order to pay appellate filing fees. The Jail should be notified, however, that plaintiff is still liable to pay the District Court filing fees until the \$350 is paid in full.

Dated this 25th day of September, 2018.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE